

REMARKS/ARGUMENTS

After entry of this amendment, claims 1-21 will remain in this application. Claims 1, 8 and 14 have been amended herein. New claim 21 has been added herein.

1. Claim Rejections under 35 USC §102

Claims 1-7, 13, and 15-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Aikawa et al. (US2003/0095769).

Regarding Claim 1, the Examiner asserts that Aikawa discloses in Fig 1b and Example D of Table 1 a dispersion compensating fiber as claimed.

To clearly distinguish Aikawa, Applicant amends claim 1 to insert the limitation wherein the relative refractive index (Δ_2) is between -0.4 and -0.6 %. This limitation is not taught or suggested in Aikawa which teaches a much more negative moat delta (-0.94%). Applicant's lower moat depth has the desired effect of raising effective area and/or lowering micro-bending. Support for the amendment may be found in para. [0035] of the specification. Accordingly, it is believed that claim 1 as amended clearly distinguishes the prior art and is, therefore, allowable. Claims 2-20 are allowable for at least this reason.

Claims 1-2, 4-7, 9, 13, and 15-17 are rejected under 35 U.S.C. 102 (a) as being anticipated by Saitou et al. (US 2002/0164139).

Regarding Claim 1, the Examiner asserts that Saitou discloses in Figs. 12A and 12B a dispersion compensating fiber as claimed.

Applicant's amendment to claim 1 to insert the limitation wherein the relative refractive index (Δ_2) is between -0.4 and -0.6 % also distinguishes Saitou. This limitation is not taught or suggested in Saitou which, like Aikawa, teaches a much more negative moat delta (-0.94%). Accordingly, it is believed that claim 1, as amended, clearly distinguishes the prior art and is, therefore, allowable. Claims 2-20 are allowable for at least this reason.

2. Allowable Subject Matter

The Examiner is thanked for indicating Claims 19 and 20 are allowed. The Examiner is further thanked for indicating Claims 8, 10-12, 14, and 18 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's have rewritten claims 8 and 14 in independent form including all of the limitations of the base claim. Accordingly, it is believed that these claims are now allowable as submitted.

3. Cited Prior Art

Applicant has cited herewith, on the attached 1449 form, the prior art cited in the corresponding PCT case (PCT/US 2004/033857). It is asserted that all of these

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references were carefully considered in preparing the present application (owned by the same Assignee) and none of these references teach or suggest the specific range of optical attributes claimed in the present application. Applicant's also provide herewith US 6,396,987 in replacement for US 6,376,987 (which was a typographical error).

4. New Claim

New claim 21 is added herewith. Claim 21 is dependent on claim 1 and is allowable for at least the reasons given for claim 1 above.

5. Conclusion

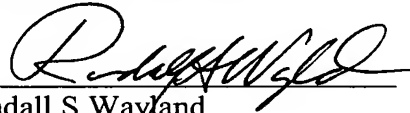
Based upon the above amendments, remarks, and papers of records, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge the fee under 37 CFR §1.16(j) for one dependent claim in excess of 20 to Corning Incorporated Deposit Account No. 03-3325. A duplicate of this sheet is enclosed.

Applicant believes that no extension of time is necessary to make this Reply timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Randall S Wayland at 607-974-0463.

Respectfully submitted,



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